

SEMINOLE COUNTY ATTORNEY'S OFFICE
Add On Agenda
August 12, 2003

Action Requested:

Authorization to advertise the Proposed Property Exchange
BDC Lake Markham, Ltd.

Authorization:

 County Attorney

BDC Markham, Ltd., is developing property adjacent to Lake Markham Road. The plat of Phase I includes a twenty foot (20') strip that the County claims is part of the abandoned railroad right-of-way being developed for the trails program. The subdivision wall is constructed in the disputed area. A similar issue is present by the Phase II plat. While BDC disputes that claim, in order to resolve the matter, the parties agreed to an exchange of property. The State and County are to disclaim any interest in the twenty foot (20') strip in Phase I and BDC will convey a comparable amount of land in the disputed area to the County from the development's proposed II.

This exchange was negotiated by staff a few years ago and was to be accomplished at the time Phase II was platted. The property is now being sold and the exchange needs to be completed in order for closing to take place. Phase II Plat has been submitted to Planning and Development and is in process.